



**TO:** Indiana's Workforce Investment System

**FROM:** Gina DelSanto  
Senior Deputy Commissioner of Agency Policy and Performance

**DATE:** September 7, 2010

**SUBJECT:** DWD Policy 2010-01  
Procedures for Requesting a Regular or Disaster  
National Emergency Grant (NEG) in the State of Indiana

**Purpose**

The policy explains Regular and Disaster National Emergency Grants (NEGs) and promulgates the policy and procedures for requesting that grant funding from the US Department of Labor (DOL) for the State of Indiana.

**Rescission**

None

**Contents**

A National Emergency Grant (NEG) is a discretionary grant authorized by the Secretary of Labor to provide time limited funding to assist states and local workforce boards in responding to significant worker dislocation events that exceed the scope of the formula funds provided under the Workforce Investment Act. Significant worker dislocation events include mass layoffs as detailed in the referenced TEGL, or natural or man-made disasters, recognized by a Federal Emergency Management Agency disaster declaration making the designated area eligible for public assistance.

The Employment and Training Administration, US Department of Labor, Training and Employment Guidance Letter (TEGL) 16-03 issued January 26, 2004 and 16-03 Changes 1, 2, 3, 4, and 5 detail NEG programs and all are still in effect. TEGL 16-03 addresses Regular and Disaster NEGs. Changes 1 through 5 detail NEG programs designed to address specific incidents such as Base Realignment and Closure and Hurricane Katrina. Although it may be appropriate for the State to apply for one or more of these specific incident NEGs in the future, this policy will not address those NEG processes.

Any Local Workforce Investment Board (LWIB) or Regional Workforce Board (RWB) within the State of Indiana may request that the State apply for an NEG. As the DOL grantee, the Indiana Department of Workforce Development (DWD) would sub-grant funds to the LWIB or RWB and would monitor the grant as indicated below.

## **Regular National Emergency Grants**

Regular National Emergency Grants are those that respond to the following extraordinary worker dislocation events as defined in TEGL 16-03 as follow:

- ✓ A Single Company Layoff of 50 or more workers
- ✓ A Multi Company Layoff in which there are 50 or more workers laid off from each company
- ✓ Industry Wide Layoff with layoffs from companies within the same 3 digit level North American Industrial Classification Code (NAICS) with 50 or more layoffs from each company

Exception: If the layoffs occur in the same contiguous geographic area, then one company must have laid off 50 or more workers and the layoffs at other companies may be smaller.

- ✓ Community Impact Projects are intended for those areas where the company size is smaller (primarily rural areas) and there have been multiple layoffs over the last 6 months resulting in an increase in the local unemployment rate of 1% or more.
- ✓ Trade Dual Enrollment Projects are those projects with a single or multi company layoff of 50 or more individuals per company where DOL has determined the workers to be Trade Adjustment Act (TAA) eligible with restrictions detailed in the TEGL 16-03. Dual enrollment projects are intended to provide “wrap around” services, such as job readiness assessments, supportive services, and case management that are not available under TAA and for which there are insufficient formula funds available.
  - Trade Program Health Coverage Tax Credit Infrastructure projects can be used to help states develop infrastructure to support Health Coverage Bridge programs.
  - Trade Program Health Coverage Bridge projects are intended to assist dislocated workers in a Trade certified program maintain health coverage until reemployed.

In all cases, these regular NEG's are expected to support a sustainable project size. In general, a project in which 50 or more individuals are participating is considered a sustainable project. Data collected from Rapid Response Surveys are the accepted support documentation for sustainable project size in the NEG application process.

***To apply for a Regular National Emergency Grant***

The following elements are required from the requesting LWIB or RWB in order for DWD to complete the application.

1. A narrative justification of not more than 2,000 words describing the events that form the basis for the request and the impact those events have had on the community
2. A narrative of not more than 1,000 words describing the services to be provided using the grant funds
3. A completed NEG Project Operator Data Form (Attachment A) which includes
  - ✓ the planned duration of the Project Operator's agreement with start and end dates,
  - ✓ a list specifying the cities and counties affected by the events, and
  - ✓ a list of the congressional districts affected by the events.
4. A completed NEG Employer Data Form (Attachment B) for each company. For companies with multiple physical locations, LWIBs or RWBs must include a separate Employer Data Form for each of the employer's locations. Also, there must be a separate Employer Data Form for each company layoff date.
5. A completed NEG Project Planning Form (Attachment C)
6. A completed NEG Rapid Response Data Collection Summary Form (Attachment D)

If no Rapid Response was conducted for included events, the LWIB or RWB must add a narrative statement as to why no Rapid Response was conducted. Rapid Response Survey Forms are required unless there are extenuating circumstances. The forms are to be held by the Project Operator through the DOL review process at grant completion.

7. The LWIB or RWB must have expended 70% of its annual WIA funds allotment by the end of the Program Year in which the request is made.

## **Disaster National Emergency Grants**

Disaster National Emergency Grants are intended to provide temporary workers for the cleanup period after a natural or manmade disaster. The basic eligibility criterion is that the Federal Emergency Management Agency (FEMA) has issued a Disaster Declaration making the designated area eligible for public assistance. The temporary workers are limited to either 1040 hours of work or \$12,000 in total compensation per individual, whichever comes first.

The initial grant award will be limited to 6 months. A modification request from the grantee justifying a longer period can be accepted and approved by DOL. The work is limited to public infrastructure projects and restricted to clean up and restoration.

### ***To apply for a Disaster National Emergency Grant***

The following elements are required from the requesting LWIB or RWB in order for DWD to complete the application.

1. A copy of the FEMA Disaster Declaration showing that the event is eligible for public disaster assistance for the area defined in the grant.
2. A narrative justification of not more than 2,000 words for the grant describing the event and the extent of damage
3. A completed NEG Project Operator Data Form sheet (Attachment A) which includes
  - ✓ the planned dates of the project,
  - ✓ a list specifying the cities and counties affected by the event, and
  - ✓ a list of the congressional districts affected by the event.
4. A Disaster NEG Project Planning Form (Attachment E) for each proposed project which lists a specific project location with beginning and ending dates, the number of workers and supervisors required, the expected personnel cost for each project, and a list of requested materials with their costs. This materials request is limited to safety equipment and hand tools. Other materials may be authorized on a case-by-case basis. (A separate form is required for each project location.)
5. A completed NEG Project Planning Form (Attachment C)

For a Disaster NEG request, information must reach DWD within 20 days of the FEMA declaration.

The completed application documents for both Regular and Disaster NEG's explained above are to be forwarded via e-mail to the DWD National Emergency Grant Coordinator. The National Emergency Grant team will review the application for completeness and either forward it to DWD's Leadership Team for a decision or return it to the requester for additional information. When a decision to continue with the application is made, the NEG team will schedule a conference with the requesting Local or Regional Workforce Board to finalize the application.

## **The NEG Management Process**

### ***Required National Emergency Grant Reports***

Monthly reports are required from NEG Project Operators on the progress of all NEG's. The reports are due to DWD on the 10<sup>th</sup> working day of the month following the month being reported. The reports include both participation and financial expenditure details. All data is to be reported cumulatively from the first day of the grant. The Monthly Report forms attached are the Regular NEG Project Operator Monthly Report (Attachment F) and Disaster NEG Project Operator Monthly Report (Attachment G).

DWD will review the Project Operator monthly reports to ensure that performance goals are being met in a timely manner. In the case where performance goals are not being met, DWD will work closely with the LWIB or RWB to identify the issues, and will take appropriate action, which could include, but is not limited to, requiring corrective action by the Project Operator; modifying the grant to reflect performance; or de-obligating funds and identifying a new Project Operator.

### ***National Emergency Grant Monitoring***

National Emergency Grants will be monitored by the Department of Workforce Development's Monitoring Unit. The first monitoring visit will be approximately 90 days from the date of the contract between DWD and the LWIB or RWB to determine that the project is operating within the parameters of the grant and that the performance goals of the grant are being met. The second visit will be at the approximate midpoint of the grant and again will determine whether the project is operating within the grant's parameters and that the grant's performance goals are being met. If issues are found during the monitoring process, the Monitoring Unit will issue a Monitor Unit Finding. A Finding would include a process to resolve the issue and bring the program into compliance.

If either monitoring visit reveals that the performance goals are not being met, DWD will make a decision as to the process going forward. DWD may choose either to request a modification of the grant and retain the current Project Operator, or de-obligate the funding and designate a new Project Operator, or to end the grant and return the funds to DOL.

### **Review Date**

October 1, 2012

### **Ownership**

National Emergency Grant Coordinator  
DWD Policy  
Indiana Department of Workforce Development  
10 North Senate Avenue  
Indianapolis, IN 46204  
[JKiser@dwd.IN.gov](mailto:JKiser@dwd.IN.gov)

### **Effective Date**

Immediately

**Action**

Local Workforce Investment Boards and Regional Workforce Boards shall ensure that the guidance contained within this policy is followed when requesting and implementing USDOL Regular and Disaster National Emergency Grants in Indiana.

**Attachments**

- Attachment A – Indiana NEG Project Operator Data Form
- Attachment B – Indiana NEG Employer Data Form
- Attachment C – Indiana NEG Project Planning Form
- Attachment D – Indiana NEG Rapid Response Data Collection Summary Form
- Attachment E – Indiana Disaster NEG Project Planning Form
- Attachment F – Regular NEG Project Operator Monthly Report
- Attachment G – Disaster NEG Project Operator Monthly Report

These attachments are available to be completed online at the following address:

[http://www.in.gov/dwd/NEG\\_Project\\_and\\_Report\\_Forms.xls](http://www.in.gov/dwd/NEG_Project_and_Report_Forms.xls)